IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FOURTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 13801 of 1998

Between:

1 V.Subba Rao, S/o. V.Sambaiah,
R/o. Vijayawada, Vehicle No. AAG 8747.
2 B.Ramaiah, S/o. B.Yellaiah,
R/o. Vijayawada, Vehicle No. AHK 9499.
3 N.Srinivasa Rao, S/o. N.Appa Rao,
R/o. Vijayawada, Vehicle No. AP-16-W-5292.
4 Y.Ramamohana Rao, S/o. Y.Veerabadra Rao,
R/o. Vijayawada, Vehicle No. AAG 8896.
5 A.Rama Koteswara Rao, S/o. A.Anjaiah,
R/o. Vijayawada, Vehicle No. TN-31-6697.
6 P.Radha Krishna Murthy, S/o. P.Narasimhaiah,
R/o. Narsaraopeta, Vehicle No. AAT 4499.
7 S.Mohammad, S/o. S.Sikandar Sab,
R/o. Chittoor, Vehicle No. ADC 1909
8 S.Munawar Basha, S/o. Subhan Saheb,
R/o. Chittoor, Vehicle No. AP-30-T-9621.
9 V.Koteswara Rao, S/o. Venkata Rao,
R/o. Vijayawada, Vehical No.AIK-8449.
10 Md. Hazijanuddinad, S/o. Ismail,
R/o. Vijayawada, Vehicle No.TDM-9441. **..... PETITIONERS**

AND

1 The Secretary, R.T.A., Krishna
2 The Secretary, R.T.A., Narsaraopeta.
3 The Secretary, R.T.A., Chittoor. **.....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other Writ, Order or Direction, declaring that the action of the respondent insisting the gross vehicle weight of the vehicles of the petitioners bearing registration Numbers as mentioned in the cause title as 15, 244 Kgs. as illegal, contrary to law and further hold that the said vehicles are entitled to be assigned a gross vehicle weight of 16,200 Kgs. is in accordance with Sec. 58(4) and consequently direct the respondents herein to enter the gross vehicles weight of 16,200 Kgs. in the registration certificates of the Vehicles.

Counsel for the Petitioners: MR.V.SAMBA MURTHY
Counsel for the Respondents: GP FOR TRANSPORT

The Court made the following :

ORDER:

This writ petition is filed seeking to declare the action of the respondents in insisting the gross weight of each of the vehicles of the petitioners as 15,244 Kgs., instead of 16,200 Kgs., as illegal and arbitrary, and consequently to direct the respondents to enter the gross weight of each of the vehicles as 16,200 kgs., in the respective registration certificates.

When the matter came up for hearing, the learned Government Pleader for Transport submitted that the subject matter of this writ petition is squarely covered by the judgment of the Apex Court in

N. Venkateswara Rao vs. S.T.A.[1], wherein the Apex Court elaborately considered the matter and dismissed the appeals and the writ petition.

Recording the above submission, and following the above judgment of the Apex Court, this Writ Petition is also dismissed for the same and similar reasons. No costs.

N.V. RAMANA, J

Date: 04-03-2005

Svv

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Secretary, R.T.A., Krishna
2 The Secretary, R.T.A., Narsaraopeta.
3 The Secretary, R.T.A., Chittoor.

4 Two CCs. to the Government Pleader for Transport, High Court Buildings, A.P., Hyderabad (OUT).

5 Two CD copies

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